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VIA FEDEX

December 18, 2007

The Honorable Laura T. Swain
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St., Room 755
 New York, NY 10007

**RE: Banco Popular Dominicano, C. Por A. v. Levi Strauss & Co.,
 No. 07 Civ. 6443 (LTS) (THK)**

Dear Judge Swain:

We represent Levi Strauss & Company ("LS&CO."), the defendant and third-party plaintiff in the above-referenced action. I write in response to the letter to the Court dated December 14, 2007 regarding LS&CO.'s *Limited Objection to Third Party Defendant QST Dominicana LLC's Motion to Dismiss for Forum Non Conveniens* (the "Limited Objection") filed by plaintiff Banco Popular Dominicano, C. Por A. ("BPD").

In its letter, BPD alleges that by filing the Limited Objection, LS&CO. has moved this Court for an order granting LS&CO. a discharge and an award of attorneys' fees and costs in its interpleader action (the "Interpleader Action"). Apparently, BPD has misinterpreted the relief sought in the Limited Objection. LS&CO. neither intended to nor actually moved this Court for any such relief, and the Limited Objection cannot be reasonably read to provide otherwise.

The WHEREFORE clause at the end of the Limited Objection clarifies that the only relief sought was "entry of an order denying the Motion to the extent set forth in this Limited Objection, by delaying the adjudication of the Motion until the Court determines LS&CO.'s entitlement to a discharge and reasonable attorney's fees and costs, and granting such additional relief as is just and proper."

Moreover, as stated in the parties' Joint Pre-Trial Statement dated, December 4, 2007, BPD and LS&CO. are informally attempting to resolve the correct amount of the funds to be deposited with the Court's registry (which is based upon the correct amount of the receivable owed to the Interamericana Apparel Company, Inc. and Interamericana Products International, S.A.). LS&CO. anticipates that this issue will be resolved without formal discovery and prior to the filing by LS&CO. of a motion for a discharge and reasonable attorneys' fees and costs, which motion will be filed only after compliance with this Court's procedures.



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For the reasons set forth above, the undersigned respectfully requests that the Court consider the Limited Objection filed by LS&CO. in its determination of QST Dominicana LLC's *Motion to Dismiss for Forum Non Conveniens*.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Plotko".

Gregory G. Plotko

cc: John M. August, Esq.
Robert E. Eisenbach III
Charles Spencer Caranicas, Esq.
Michael M. Eidelman, Esq.
Howard F. Strongin, Esq.
Jill Suzanne Taylor, Esq.